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Remarks

This communication responds to the Office Action mailed June 6, 2005 for the application captioned above. By this amendment, claims 1, 10-13, 20, 31-36 and 45 are amended. It should be noted that claims 10-13 and 31-36 are amended only to correct typographical errors where the term "strap" had been substituted for the term "cord". The following remarks are respectfully submitted.

§102 Rejections

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Harris (US 5,441,066), and it is assumed, according to the Examiners discussion of claim 2, that claim 2 is also rejected under 35 U.S.C. 102(b) as being anticipated by Harris. Applicant traverses the rejection of claims 1 and 2 based on the following argument.

Harris neither teaches nor suggests every element and limitation of claims 1 and 2. For example, independent claim 1 defines a watercraft cover including, inter alia, a sheet of water repellant material, a first pocket and a second pocket attached to the sheet, a support structure sleeve located substantially between the first and second pockets, and at least one support structure having a first end received in the first pocket and a second end received in the second pocket, the support structure extending from the first pocket to the second pocket through the support structure sleeve.

The Examiner likens the support structure of claim 1 to a combination of the tube 12b and the primary support ribs 16 (called a plurality of arms by the Examiner) of Harris. It can be clearly seen in Figure 1 of Harris, that none of ribs 16 extend from their lower ends, each received in a nylon sleeve 44 (pocket), though a support structure sleeve to another rib end that is received in another pocket; and, although tube 12b extends through tube 12a (considered a support structure sleeve by the Examiner), neither end of tube 12b is received in a pocket attached to sheet 14.

In light of the argument presented for claim 1, Applicants respectfully request that the Examiner withdraw the rejection of claim 1, and of claim 2 dependent thereon.

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§103 Rejections

Claims 20, 22, 24, 25, 35, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harris (US 5,441,066) in view of Noel (US 3,960,162). Applicant traverses the rejections of claims 20, 22, 24, 25, 35 and 36 based on the following argument.

Neither Harris nor Noel, individually or in combination, teach or suggest every element and limitation of claims 20, 22, 24, 25, 35 and 36. For example, independent claim 20 defines a travel watercraft cover including, inter alia, a sheet of water repellant material and a dual retention system that includes a first relatively elastic cord and a second relatively inelastic cord, each cord generally following the outside perimeter of the sheet. Such a dual retention system is not suggested in the cited references, either alone or in combination, and provides superior functionality compared to the prior art. For example, the relatively inelastic cord is useful for rigidly securing the cover to the watercraft and the relatively elastic cord is useful for reducing gapping in the sheet.

The Examiner has asserted that one of the at least four straps 26 of Harris constitutes a dual retention system wherein the nylon strap 26 is a relatively elastic cord and the D-ring 62 is a relatively inelastic cord. Although the nylon strap 26 of Harris may be relatively elastic compared to the D-ring 62, Harris does not show the nylon strap 26 extending generally following the outside perimeter of sheet 14.

In light of the argument presented above, Applicant respectfully requests that the Examiner withdraw the rejection of claim 20 and claims 22, 24, 25, 35, and 36, dependent thereon.

Claims 20, 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jannausch (US 5,228,408) in view of Litsheim (US 2,811,728). Applicant traverses the rejections of claims 20, 21 and 27 based on the following argument.

Neither Jannausch nor Litsheim, individually or in combination, teach or suggest every element of claims 20, 21 and 27. For example, independent claim 20 defines a travel watercraft cover including, inter alia, a sheet of water repellant material and a dual retention system that

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includes a first relatively elastic cord and a second relatively inelastic cord, each cord generally following the outside perimeter of the sheet.

Although straps 20, 21 of Jannausch may constitute a retention system, neither strap 20, 21 extends in a direction following the outside perimeter of the boat cover 12, for example the periphery 19. Although Litsheim shows a seizing 5 including a rope member 5' and an elastic member 6, Litsheim does not show the elastic member extending in a direction following the outside perimeter of the cover 3.

In light of the argument presented above, Applicant respectfully requests that the Examiner withdraw the rejection of claim 20 and claims 21 and 27, dependent thereon.

Claims 45 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harris (US 5,441,066). Applicant traverses the rejection of claims 45 and 46 based on the following argument.

The method of independent claim 45 includes the steps of securing a watercraft cover that includes, inter alia, a support structure sleeve attached to a sheet of the cover and located substantially between first and second pockets, and inserting a first end of at least one support structure into the first pocket and a second end of the at least one support structure into the second pocket with the at least one support structure extending through the sleeve. The Examiner has asserted that the method steps of claims 45 and 46 are inherent in the making and the use of the Harris apparatus, however, as previously presented in the argument for claim 1, above, Harris neither teaches nor suggests an apparatus including a support structure extending through a support structure sleeve from a first end of the support structure, received in a first pocket, to a second end of the support structure, received in a second pocket.

In light of the argument presented above, Applicant respectfully requests that the Examiner withdraw the rejection of claim 45 and claim 46, dependent thereon.

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Allowable matter

In the Office Action, the Examiner objected to 3-13, 23, 26, and 28-34 as being dependent upon a rejected claim and indicated that these claims would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicant traverses the objection to claims 3-13, 23, 26, and 28-34 based on the arguments presented herein for independent claims 1 and 20 and respectfully requests that the Examiner withdraw the objection to claims 3-13, 23, 26, and 28-34.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested. Applicant believes no fee is due to enter the present Amendment. The Commissioner is hereby authorized to charge any additional filing fees required to Deposit Account No. 061910. The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

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